

### REMARKS

Claims 1-6, 12-17, 23, and 25-29 are pending in the present application. Claims 7-11, 18-22, and 24 are canceled. Claims 4 and 15 are amended. Claims 25-29 are added. Reconsideration of the claims is respectfully requested.

#### **I. 35 U.S.C. § 102, Anticipation**

The Office Action rejects claims 1-3, 12-14, and 23 under 35 U.S.C. § 102 as being anticipated by *Lister et al.* (U.S. Patent Application Publication No. 2002/0178297 A1). This rejection is respectfully traversed.

With respect to claims 1-3, 12-14 and 23, the Office Action states:

As per claim 1, *Lister et al.* teaches "receiving data from a server application" (see page 6, paragraphs [0049]-[0051]) "determining whether the data is serializable" (see page 4, paragraphs [0030] and [0032]) "storing the data in a data structure and forwarding, to a client, a reference to the data structure if the data is not serializable" (see page 4, paragraphs [0030] and [0036]).

Office Action, dated April 28, 2004. Applicant respectfully disagrees. *Lister* teaches a service control manager tool execution mechanism that enables service control manager users to execute service control manager tools across a set of defined distributed systems. See *Lister*, Abstract. Tool execution in *Lister* involves five processes including a client process, a domain manager process, a log manager process, a distributed task facility (DTF) process, and an agent process. The DTF provides target liaison interfaces that may be used by agents to communicate with the DTF in order to process assigned tasks. See *Lister*, paragraph [0029].

The cited portion of *Lister* states:

[0030] To start a task on the managed nodes 130, the DTF 340 may package up the task in a task description object, create target liaison objects 360 to track the target nodes 130, and pass them both to the agents 370 on the target nodes 130. The task description object may include task information received from the user, such as the name of the tool to be run, the location of the tool, the nodes on which to run the tool, and required arguments of the tool, if any. The task description object maybe serializable, so it may be

shipped over the remote call in its entirety. But the target liaison 360 is typically a remote object and so only a remote reference to it may be shipped over with the remote call.

*Lister*, paragraph [0030]. Neither the cited portion of *Lister*, nor any other portion of the reference, teaches that a task description may be serializable and that a target liaison is typically a remote object. Serializable objects can be transmitted over the remote call. For remote objects, only a remote reference may be transmitted over the remote call. Thus, *Lister* teaches that it is known ahead of time that some objects, task description objects, are likely serializable and that other objects, target liaisons, are likely remote objects.

*Lister* does not teach or suggest determining whether data is serializable and storing the data in a data structure if the data is not serializable, as recited in claim 1. The target liaison is a remote object before any alleged determination may be made. Therefore, *Lister* does not teach storing the data in a data structure. Rather, *Lister* teaches sending a reference to an already existing remote object.

The applied reference fails to teach or suggest each and every claim limitation. Therefore, *Lister* does not anticipate claim 1. Independent claims 12 and 23 recite subject matter addressed above with respect to claim 1 and are allowable for the same reasons. Since claims 2, 3, 12, and 14 depend from claims 1 and 12, the same distinctions between *Lister* and the invention recited in claim 1 apply for these claims. Additionally, claims 2, 3, 12, and 14 recite other additional combinations of features not suggested by the reference.

More particularly, with respect to claims 2 and 3, the Office Action states:

As per claims 2-3, *Lister et al.* teaches "a hash table...key..." (see page 4, paragraph [0036]).

Office Action, dated April 28, 2004. Applicant respectfully disagrees. The cited portion of *Lister* states:

[0036] The task manager interface 350 may use running tool objects to perform the tasks, one per task. The DTF 340 may have a hash table that contains references to all the running tool objects that are active. The hash table is a common data structure for providing fast indexing of

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information by providing an algorithm that computes some type of address based on a hash key. The hash key for the hash table may be the task identifier, a string value generated by the DTF 340 based on the runnable tool that may be guaranteed to be unique.

*Lister*, paragraph [0036]. *Lister* does indeed teach a hash table. The hash table of *Lister* contains references to all running tool objects that are active. However, *Lister* does not teach or suggest storing data in a data structure that comprises a hash table if the data is not serializable. To the contrary, *Lister* teaches storing a reference to all running objects for the tool and does not make a determination as to whether an object is serializable before the data is stored in the hash table. Furthermore, *Lister* does not teach forwarding a reference to the hash table to a client. More specifically, *Lister* does not teach forwarding a reference that is a hash key to a client. The applied reference fails to teach or suggest each and every claim limitation. Therefore, *Lister* does not anticipate claims 2 and 3. Claims 13 and 14 recite subject matter addressed above with respect to claims 2 and 3 and are allowable for the same reasons.

Therefore, Applicant respectfully requests withdrawal of the rejection of claims 1-3, 12-14, and 23 under 35 U.S.C. § 102.

Furthermore, *Lister* does not teach, suggest, or give any incentive to make the needed changes to reach the presently claimed invention. Absent the Office Action pointing out some teaching or incentive to implement *Lister* to store data in a data structure and forwarding a reference to the data structure if it is determined that the data is not serializable, one of ordinary skill in the art would not be led to modify *Lister* to reach the present invention when the reference is examined as a whole. Absent some teaching, suggestion, or incentive to modify *Lister* in this manner, the presently claimed invention can be reached only through an improper use of hindsight using the Applicant's disclosure as a template to make the necessary changes to reach the claimed invention.

## II. Objection to Claims

The Office Action states that claims 4-6 and 15-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent

form including all of the limitations of the base claim and any intervening claims. In response, the claims have been rewritten to overcome this objection.

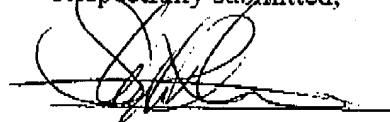
### III. Conclusion

It is respectfully urged that the subject application is patentable over the prior art of record and is now in condition for allowance.

The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,



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